

**SUPERIOR COURT OF WASHINGTON
COUNTY OF
JUVENILE COURT**

Dependency of:

D.O.B.:

NO:

SHELTER CARE HEARING ORDER

- ☐ Agreed
☐ Contested
☐ Default

(SCOR)

☐ Clerk's Action Required. Paragraphs 3.9, 3.10.

Restraining Order Summary:

- ☐ Does not apply.
☐ Restraining Order Summary is set forth below:

Name of person(s) restrained:
person(s) protected:

. Name of
See paragraph 3.9.

I. HEARING

- 1.1 A dependency petition was filed in this matter and a hearing was held on .
(Date)
- 1.2 Persons appearing at the hearing were:
- | | |
|------------------------------------------------------|-----------------------------------------------------------------|
| <input type="checkbox"/> Child | <input type="checkbox"/> Child's Lawyer |
| <input type="checkbox"/> Mother | <input type="checkbox"/> Mother's Lawyer |
| <input type="checkbox"/> Father | <input type="checkbox"/> Father's Lawyer |
| <input type="checkbox"/> Legal Guardian or Custodian | <input type="checkbox"/> Legal Guardian's or Custodian's Lawyer |
| <input type="checkbox"/> Child's GAL | <input type="checkbox"/> GAL's Lawyer |
| <input type="checkbox"/> Agency Worker | <input type="checkbox"/> Agency's Lawyer |
| <input type="checkbox"/> Probation Counselor | <input type="checkbox"/> Other |
- 1.3 Testimony was taken.

II. FINDINGS

The court FINDS that:

- 2.1 ☐ The notice required under RCW 13.34.060 (2) and RCW 13.34.062 was given to the
☐ mother ☐ father ☐ child ☐ guardian ☐ legal custodian ☐ other:

- ☐ Reasonable efforts to provide notice to the ☐ mother ☐ father ☐ child ☐ guardian
☐ legal custodian ☐ other: and to inform them of their rights
☐ have ☐ have not been made by petitioner.
- 2.2 The parties present at the hearing were informed of their rights pursuant to RCW 13.34.060, 13.34.062 and 13.34.090.
- 2.3 Indian status:
☐ The child is Indian as defined in 25 U.S.C. 1903(4). The Indian Child Welfare Act does apply to these proceedings. The petitioner ☐ has ☐ has not made preliminary efforts to notify the child's tribe of these proceedings. All notice requirements and evidentiary requirements under the Indian Child Welfare Act have not yet been satisfied.
☐ The child is not Indian as defined in 25 U.S.C. 1903(4), and the Indian Child Welfare Act does not apply to these proceedings.
☐ It has not been determined whether the child is Indian as defined in 25 U.S.C. 1903(4).
- 2.4 ☐ [DSHS/Supervising Agency] has made an effort to place the child with a relative known to the child and with whom the child has a relationship and a relative ☐ is ☐ is not available or willing to care for the child and to meet any special needs of the child or to facilitate the child's visitation with siblings.
- 2.5 ☐ There is a relative available and willing to care for the child. ☐ However, there is reasonable cause to believe that placement of the child with the relative would ☐ jeopardize the safety or welfare of the child ☐ hinder efforts to reunite the parent and child. ☐ Additional investigation is needed for [DSHS/Supervising Agency] to determine the character and suitability of the proposed relative placement.
- 2.6 ☐ It is currently contrary to the welfare of the child to remain in or return home. The child is in need of shelter care because:
☐ The child has no parent, guardian, or legal custodian to provide supervision or care for such child;
☐ The release of the child would present a serious threat of substantial harm to the child;
☐ The parent, guardian or custodian to whom the child could be released is alleged to have violated RCW 9A.40.060 or 9A.40.070.
- 2.7 ☐ Reasonable efforts were made by petitioner to prevent or eliminate the need for removal of the child from the child's home. For the reasons set forth in the dependency petition, supporting declarations and affidavits, and/or the testimony presented to the court:
☐ The risk of imminent harm to the child as assessed by petitioner establishes reasonable cause for the continued out-of-home placement of the child pending the fact finding hearing;
☐ Specific services offered or provided to the parent(s) have been unable to remedy the unsafe conditions in the home and make it possible for the child to return home;
☐ Returning the child to the home would seriously endanger the child's health, safety, and welfare; and/or
☐ Other:
- 2.8 ☐ There is not reasonable cause to believe that shelter care is needed.
- 2.9 ☐ There is reasonable cause to believe that an incident of sexual or physical abuse has occurred and that a restraining order is necessary pursuant to RCW 26.44.063 (2).
- 2.10 ☐ Other:

III. ORDER

IT IS ORDERED that:

- 3.1 ☐ The child is released to the child's parent or legal guardian or custodian:
Name(s):
Address:
- ☐ Under the following conditions:
- 3.2 ☐ The child is placed in or shall remain in shelter care under the supervision of [DSHS/Supervising agency] which shall have the authority to place the child in:
- ☐ Licensed foster care;
 - ☐ Relative placement with (Name), contingent upon his/her cooperation with the agency case plan and compliance with this and all subsequent court orders regarding parent-child contact, sibling contacts and any other conditions related to the child's care and supervision; or
 - ☐ Other:
- ☐ Under the following conditions:
- 3.3 [DSHS/Supervising agency] is ordered to provide visitation as follows:
- 3.4 [DSHS/Supervising agency] shall have access to all records pertaining to the above-named child, including but not limited to medical and educational records, and may authorize evaluations of the child's physical or emotional condition, routine medical and dental examination and care, and all necessary emergency care.
- 3.5 [DSHS/Supervising agency] shall continue to make reasonable efforts to locate and investigate an appropriate relative who is available and willing to care for the child ☐ and shall have authority to place the child with an appropriate relative without further order of the court. [DSHS/Supervising agency] is authorized to share information with potential relative placement resources as necessary to determine their suitability and willingness as a placement for the child.
- 3.6 ☐ [DSHS/Supervising agency] shall continue to investigate the child's Indian status.
- 3.7 The parents shall cooperate with [DSHS/Supervising agency] and provide a current address and phone number to the social worker at all times. Within two weeks

of the entry of this order, the parents shall provide additional information necessary for placement and notice purposes including:

- (a) The names, addresses and phone number of any relatives who may be placement resources for the child;
- (b) The names, addresses, phone numbers and other identifying information of any alleged parent(s) of the child;
- (c) Any known information regarding possible membership in or descent from an Indian tribe;
- (d) Information necessary to determine financial eligibility for services or foster care; and
- (e) Other:

3.8 The parents shall sign and maintain current releases of information during the course of these proceedings for exchange of information between all evaluators and service providers, [DSHS/Supervising agency], CASA/GAL, Juvenile Court, AAG and the parents' attorneys.

- 3.9 ☐ The alleged father(s) shall cooperate in the establishment of paternity and shall complete all interviews, paperwork and genetic testing within _____ days of the entry of this order.
- ☐ The mother shall cooperate in the establishment of paternity and shall complete all interviews, paperwork and genetic testing within _____ days of the entry of this order.
- ☐ The child shall be made available for genetic testing.

NOTICE: Failure of the alleged father(s) to establish parentage may be deemed a waiver of any right to be offered or provided remedial services, visitation with the child, or ongoing party status. Such failure may also be used as evidence in a termination of parental rights proceeding.

- 3.10 ☐ _____ (Name) is restrained from:
- (a) Molesting the child or disturbing the child's peace;
 - (b) Entering the family home of the child except as specifically authorized by the court;
 - (c) Having any other contact with the child, except as specifically authorized by the court;
 - (d) Knowingly coming within, or knowingly remaining within _____ (distance) of _____ (location);
 - (e) Other:

VIOLATION OF THIS RESTRAINING ORDER WITH ACTUAL NOTICE OF ITS TERMS IS A CRIMINAL OFFENSE UNDER CHAPTER 26.44 RCW AND IS ALSO SUBJECT TO CONTEMPT PROCEEDINGS, AND WILL SUBJECT A VIOLATOR TO ARREST. RCW 26.44.063(8) and .067 (3).

The person having physical custody of the child has an affirmative duty to assist in the enforcement of this restraining order and to notify law enforcement, [DSHS/ Supervising agency], and the court as necessary to request assistance and/or report violations of the order.

3.11 ☐ A case conference/ shall be held:

On: [Date] at

At:

Address:

☐ A case conference is not ordered at this time because the parent ☐ did not appear at shelter care ☐ did not want to participate.

3.12 A hearing shall be held:

On: [Date] at

At: Court, Room/Department:

Address:

3.13 ☐ [DSHS/Supervising Agency]
shall make reasonable efforts to advise the child's ☐ mother ☐ father ☐ legal guardian
or custodian of the status of this case, including the date and time of the hearing
scheduled above and their rights under RCW 13.34.090.

3.14 Other:

Dated: _____ JUDGE/COMMISSIONER

Presented by:

Signature _____ WSBA No. _____

Print or Type Name

Copy Received. Approved for entry, notice of presentation waived.

Child: _____ Date: _____

Mother: _____ Date: _____

Father: _____ Date: _____

Agency Worker: _____ Date: _____

Agency Lawyer: _____ Date: _____

Other Parties: _____ Date: _____ /Attorney for _____

_____ Date: _____ /Attorney for _____

_____ Date: _____ /Attorney for _____